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Good morning. I welcome this opportunity to share some time with you and express my perspective on issues facing the Department's cleanup program. As this is my first occasion to speak at a Waste Management Symposia since being named the Department's Assistant Secretary for the Office of Environmental Management, I would like to take a moment to revisit how we got to where we are today.

Since the release of the Department's Top-to-Bottom Review, the Office of Environmental Management has undergone a transformation. A transformation driven from the necessity to address a ballooning cost to the taxpayers and a schedule that would leave a bitter legacy for the many generations that follow us to remedy. We had to reevaluate previous accepted strategies and cleanup methods and recommit to cleaning up the Cold War legacy.

As our name implies, the Office of Environmental Management (EM) focused on risk management rather than taking on the more challenging effort of accelerating risk reduction. We avoided many tough decisions instead of confronting them. We did not hold ourselves accountable for delivering on risk reduction. In short, our indicators have measured process, not progress; opinions, not results.

Obviously, a program that reports high success through its internal indicators while failing to deliver to the public has a real problem. Ironically, while many are insistent that the Department of Energy (DOE) be in compliance with regulations, there is very little pressure to actually reduce or eliminate risk. Today, EM is taking aggressive action to accelerate real risk reduction. We are challenging all parties to make difficult decisions and to work with DOE in these efforts. Let me be clear. We are not seeking changes that would compromise protection of public health and safety and the environment, and we will not tolerate any contractor performance that fails to meet our safety requirements.

DOE has now for the first time taken a realistic approach to the cleanup program. In the past it has had a tendency to set unrealistic goals and to promise cleanup at levels that could never be met. In some cases, the technology does not exist to achieve those goals; in others, the promised end states would be so costly and take so long to accomplish that DOE could never justify or acquire the high cost to taxpayers for the benefits gained. On the other hand, it is interesting that DOE as a whole is not being pressured to achieve an end state. In fact, DOE has not been severely criticized for major failures in the cleanup effort as long as it has continued to provide or increase funding for the program. Now, faced with the choice of remaining in compliance at an ever-increasing cost and not reducing the risk to public health and safety, or accelerating risk reduction and reaching a

risk-based end state that meets all applicable laws for the protection of public health and safety and the environment, DOE has chosen the latter.

With that choice made, it is somewhat disconcerting when critics of DOE accuse EM of instituting a program for "dirty cleanup" whenever we speak of a risk-based end state. Either those critics do not understand our approach, or they are being disingenuous. In fact, defining a risk-based end state is the only responsible way to assure long-term protection of the public and the environment. Without taking this approach, we cannot achieve safe and sustainable protective closure because the previous plan to a great extent involved moving from one interim solution to another.

Concurrently, there appears to be a widespread belief throughout the complex that if DOE achieves and maintains compliance with state and federal regulations, we will have met our cleanup goals. Nothing could be further from the truth. It is quite possible to be in full compliance with the regulations without achieving any reduction in potential risk. Indeed, this has been the historical modus operandi. Although DOE will continue to be in compliance, our new cleanup approach is not to continue managing waste, but to reduce risk by stabilizing high-risk materials and then to eliminate risk by properly disposing of those materials.

To be in compliance also can imply that actions have been taken to correct a failure, rather than to implement a system that proactively reduces risk, cleans up potential sources of contamination, and prevents environmental damage. Most of the compliance issues DOE faces today could have been prevented. Only in the past few years has DOE begun to understand the necessary preventive measures and to develop a process for their implementation.

The inconsistent application of cleanup standards, not only from site to site, but also within the same site has been a complicating factor affecting accelerated cleanup. By focusing on developing a logical cleanup plan for the site as a whole that incorporates risk-based end states, rather than specific areas of concern, both the regulators and DOE may avoid the unnecessary expenditure of resources. We can credibly insure we are doing the right work. For example, if the agreed-upon end state is industrial, cleanup of a portion of the site to residential standards does not change the end state and may, in fact, increase the risk to workers for no added benefit.

Even corrective actions, if not planned as part of the overall cleanup project, can result in unnecessary and repetitive work. Digging up previously buried waste may not reduce the risk to public health and safety, but will increase the risk to workers. Any site cleanup plan must manage these risks.

Some of the poor practices of the past have been the result of complicity. It is easier to agree on interim milestones than to describe the life cycle of a project and define the cost and schedule requirements for achieving an agreed-upon end state. It is also easier to check boxes and analyze data integrity than to actually measure how much risk is being

or will be reduced, how much additional protection is being afforded to the public, or how environmental quality has changed over time.

Legacy materials will be cleaned up, but DOE's cleanup and risk reduction program will not be a success until we understand the relationship between cleanup and compliance and take action to reduce waste and prevent harmful releases to the environment. The path forward is simple in concept but difficult to implement because of both the tremendous amount of historical baggage and the resources required. The establishment of a risk-based end state for each site will be a necessity.

In sum, cleanup must emphasize risk reduction. DOE has an excellent opportunity to demonstrate the positive environmental effects of its efforts while protecting public heath and improving environmental quality in states that have hosted these facilities.

Cleanup of the cold war legacy is a difficult, challenging job. However, with the support of Congress, the Administration, our regulators, our contractors, and our communities, we cannot let this opportunity pass.